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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,364	09/25/2003	Arthur D. Bauer		2363
38449	7590	02/24/2005		
ARTHUR D. BAUER 1408 EAST STREET SOUTHBURG, CT 06489			EXAMINER TON, ANABEL	
			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/605,364	BAUER, ARTHUR D.	
	Examiner	Art Unit	
	Anabel M. Ton	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 September 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-10, 12, 14, 15, 18 and 19 is/are rejected.
- 7) Claim(s) 11, 13, 16 and 17 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10,12,14,15,18,19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riban (5,172,974) and further in view of Brown (6,666,563).

3. Riban discloses the claimed invention except for the recitation of an optical medium connected to the housing assembly, a guide for providing shape to the optical medium. Riban discloses a housing assembly with a means for securing said housing assembly to handheld remote control alight source disposed in said housing assembly with a means for controlling the operation of said light source, said far end is positioned to illuminate said handheld remote control keypad, a guide being a curved channel attached to the handheld remote control (44), the curved channel pivots about a fixed base, the means for controlling the operation of the light source is by an electronic circuit contained within the housing assembly and connected to anode and cathode leads of the light source, the electronic circuit having a switch, the means for securing the housing assembly to the hand held remote control is double sided adhesive foam tape (28),a hook and loop fastener . Brown discloses an illumination device with means for securing the device to a variety of portable devices having an optical medium connected to said housing assembly, said optical medium having a near end, a length,

and a far end, whereby said near end is positioned to capture light from said light source and a guide for providing shape to said optical medium (figs 1, col. 4 lines 6-24,27-30).

- Optical medium has at least one curve, whereby said curve provides shape to said optical medium (40).
- Said optical medium is a plurality of optical fibers bundled together, wherein said bundle is round at said near end and round at said far end (structure is inherent in all fiber optic bundles).
- The optical medium is a single fiber optical fiber (inherent in a bundle);
- The single optical fiber is either rigid or flexible;
- The optical fiber is contained within a flexible wire (col. 4 lines 24-35)
- The guide is a flexible sheath surrounding the optical medium (50),
- The sheath is manufactured from plastic.
- The light source is an LED; the LED is coaxial with the optical medium.
- It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teaching of an optical fiber light source from the device of Brown in the device of Riben for the purpose of providing a light source that would be compact in size at a distal end and yet provide an intense lighting means.

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Allowable Subject Matter

4. Claims 11,13,16,17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anabel M Ton
Examiner
Art Unit 2875

AMT

Stephen Husar
Stephen Husar
Primary Examiner